

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
BEAUFORT DIVISION

Michael A. Thompson,)	C/A No.: 9:11-cv-2894-JFA
)	
Plaintiff,)	
)	
vs.)	ORDER
)	
Carroll Rodgers, Head Nurse;)	
Jamie Poinsette, Sargent Georgetown)	
County Detention Center; Southern)	
Health Partners,)	
)	
Defendant.)	
)	

The *pro se* plaintiff, Michael A. Thompson brings this civil action pursuant to 42 U.S.C. § 1983, seeking payment for his medical bills and \$25,000.00 in damages for pain and suffering from the named defendants. In his Complaint, Plaintiff alleges that Defendant Rodgers delayed in taking him to a hospital after he broke his hand. (ECF No. 1). He further alleges that when he asked the Defendant Jamie Poinsette why it was taking so long, Poinsette “had no explanation.” (ECF No. 1). In an Amended Complaint, Plaintiff added Southern Health Partners as a defendant because that “is who defendant Carroll Rodgers works for.” (ECF No. 15).

Defendant Carroll Rodgers filed a Motion for Summary Judgment on February 8, 2012. (ECF No. 41). The Magistrate Judge issued a *Roseboro* Order on February 9, 2012 advising the plaintiff of the importance of a motion for summary judgment and of the need for him to file an adequate response. However, the plaintiff failed to respond to Defendant Rodgers’s motion. In fact, other than change of address notices, Plaintiff has

not had any contact with the court since the filing of his proposed Amended Complaint adding Southern Health Partners as a defendant.

The Magistrate Judge assigned to this action¹ has prepared two thorough Reports and Recommendations (“R&R”) in this matter. In the first R&R, issued on March 12, 2012, the Magistrate Judge recommends that Plaintiff’s Amended Complaint be dismissed, without prejudice, pursuant to Fed. R. Civ. P. 41, and the Magistrate Judge further recommends that Defendant Southern Health Partners be dismissed, without prejudice, as a party Defendant in this case. (ECF No. 48). In the second R&R, issued on March 26, 2012, the Magistrate Judge opines that Defendant Rodgers’s Motion for Summary Judgment should be granted and that because there is no evidence before the court to show any liability of the Defendant Poinsette for a medical claim, this case be dismissed in toto. The Reports set forth in detail the relevant facts and standards of law on this matter, and the court incorporates such without a recitation.

The plaintiff was advised of his right to file objections to the first and second R&Rs when they were filed on March 12, 2012 and March 26, 2012, respectively. However, the plaintiff failed to file objections to either R&R. In the absence of specific objections to the Reports of the Magistrate Judge, this court is not required to give any

¹ The Magistrate Judge’s review is made in accordance with 28 U.S.C. § 636(b)(1)(B) and Local Civil Rule 73.02. The Magistrate Judge makes only a recommendation to this court. The recommendation has no presumptive weight, and the responsibility to make a final determination remains with the court. *Mathews v. Weber*, 423 U.S. 261 (1976). The court is charged with making a de novo determination of those portions of the Report and Recommendation to which specific objection is made, and the court may accept, reject, or modify, in whole or in part, the recommendation of the Magistrate Judge, or recommit the matter to the Magistrate Judge with instructions. *See* 28 U.S.C. § 636(b)(1).

explanation for adopting the recommendation. *See Camby v. Davis*, 718 F.2d 198, 199 (4th Cir. 1983).

After carefully reviewing the applicable laws, the record in this case, and the Reports and Recommendations, this court hereby adopts the recommendations of the Magistrate Judge. Accordingly, Defendant Carol Rodgers's Motion for Summary Judgment (ECF No. 41) is granted, and this case is dismissed, without prejudice.

IT IS SO ORDERED.

May 3, 2012
Columbia, South Carolina

A handwritten signature in black ink, reading "Joseph F. Anderson, Jr." in a cursive script.

Joseph F. Anderson, Jr.
United States District Judge